

## REMARKS

This is in response to the outstanding Office Action dated January 10, 2003. An extension of time and additional claims fee sheet are co-filed herewith. The undersigned would like to thank the Examiner for his cooperation and assistance in obtaining copies of the Action and the previously filed responses.

Claims 1, 2, 4-6, 10-30 and 32-43 are pending; claims 1, 2, 4-6, 10-30 and 37-43 are indicated as allowable.

Claim 36 is rejected as indefinite under 35 USC 112, second paragraph because it lacks a transitional phrase. Claim 36, which combines the subject matter of claims 17 and 32 in combination format, is indicated as containing allowable subject matter. Claim 36 has been amended to recite the tape printing apparatus of claim 17 further comprising the cassette of claim 32 (where for clarity the limitations of claim 32 are included in their entirety rather than by reference), and also the limitation "wherein the cassette is operably attached to the tape printing apparatus". The rejection under 35 USC 112 is therefore believed to be overcome. Reconsideration is requested.

Claims 32-35 stand rejected as anticipated under 35 USC 102(e) by Günther et al. Claim 32 is in independent form, while claims 33-35 depend therefrom. Claim 32 recites "a reel holding a supply of ink ribbon . . . , said reel being rotatable with respect to said housing and having a plurality of markings thereon, said housing being arranged so that said markings are detectable by detecting means external to said cassette to provide information relating to the rotation of said reel."

It is important to note that the claim recites that the reel includes a plurality of markings thereon. Günther et al discloses an apparatus with a recognition unit for detecting markings on an inking ribbon. In Günther "the inking ribbon is fashioned for the recognition of markings for control conditions" and "the inking ribbon is a multi-use inking ribbon with an optically readable inking ribbon marking applied by the manufacturer." See Günther, Abstract line 11-2, Column 4, lines 47 to 49 and 65-67. The markings on Günther are for example bar codes (Column 5, lines 1-4). This system of Günther has several shortcomings. The detector must be elaborate to read and interpret bar codes. The detector is reading the image on the ribbon, and ink ribbons can give off residual ink which may foul the detector. The bar codes must be standardized with possibly multiple manufacturers. In contrast, the cassette of claim 32 has marking on the rotatable reel. As the markings are on the reel, the detector is not exposed to fouling by ink tape passing thereby. Also, the markings can be

standard. Additionally, cassettes can be recycled using standard tape, as opposed to tape with special markings thereon. For 35 USC 102 to apply to claim 32, Günther et al would have to disclose what is claimed, i.e., a reel with markings that are read. Since this teaching is not found in Günther et al, it cannot, it is respectfully submitted, anticipate claim 32. Further, the claimed invention with its numerous improvements is not obvious over Günther.

Reconsideration and allowance are requested.

New claims 44 to 49 are similar to claims 32 to 35 but describe different embodiments of the cassette.


In view of the foregoing, it is respectfully submitted that new claim 44 and claims 32-35 are allowable and should be allowed along with claims 1, 2, 4-6, 10-30 and 37-43.

A copy of the Power of Attorney filed June 18, 2003 is attached for the convenience of the Office. Further correspondence should be forwarded to Pennie & Edmonds LLP, 1667 K Street, N.W., Washington, D.C. 20006.

No additional fees are believed due, other than the extension fee of **\$930.00**, which is submitted by separate document, and an additional claim fee of **\$192.00**.. However, should there be additional fees required, please charge any such fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

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Respectfully submitted,

  
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